

**Amendment and Response**

Applicant: Hong-Jyh Li

Serial No.: 10/816,503

Filed: April 1, 2004

Docket No.: 2004P51130US/I331.228.101

Title: PLASMA ION IMPLEMENTATION SYSTEM

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**REMARKS**

The following remarks are made in response to the Office Action mailed September 20, 2005. Claims 1-31 were rejected. With this Response, claims 1, 8, 12, 16, 19, and 25 have been amended. Claims 1-31 remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 103**

In the Office Action, the Examiner rejected claims 1-31 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Pub. No. 2004/0107909 to Collins ("Collins"), in view of Lee, U.S. Patent No. 6,670,224 ("Lee"). Applicant submits that Collins and Lee, either alone, or in combination, fail to teach or suggest the invention of amended independent claims 1, 8, 16, and 25.

Collins and Lee, either alone, or in combination, fail to teach or suggest **the high-k dielectric layer has a k value greater than 9** (claims 1, 8, and 16) and **the high-k dielectric layer having a k value greater than 9** (claim 25). Collins discloses a dielectric layer 9962 comprising silicon dioxide. (See paragraphs 0310 and 0321). Lee discloses an insulating layer 906 comprising silicon oxide or silicon nitride. (See col. 4, lines 48-51). Silicon dioxide has a k value of about 4 and silicon nitride has a k value of about 7. Therefore, neither Collins nor Lee teach or suggest a high-k dielectric layer having a k value greater than 9.

In view of the above, Applicant respectfully requests that the rejection of independent claims 1, 8, 16, and 25 under 35 U.S.C. § 103(a) be withdrawn. Dependent claims 2-7, 9-15, 17-24, and 26-31 further define patentably distinct claim 1, 8, 16, or 25. Accordingly, Applicant believes these dependent claims are also allowable over the cited references. Allowance of claims 1-31 is respectfully requested.

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**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1-31 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-31 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 50-0471.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed Steven E. Dicke at Telephone No. (612) 573-2002, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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Date: December 20, 2005  
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**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20<sup>th</sup> day of December, 2005.

By Steven E. Dicke  
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